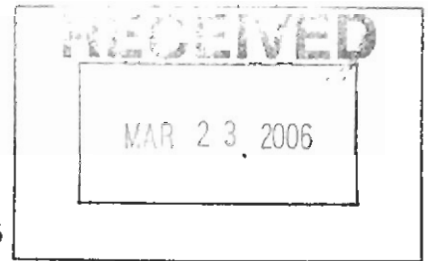


To: Judge Joseph J. Farnan
United States District Court
for the District of Delaware
844 King Street
Wilmington, DE 19801



March 19, 2006

RE: Carter v. Taylor, et, all defendants
Civil Action No. 99-757-JJF

Dear Judge Farnan:

Per your instruction in your December 5, 2005 order, I am notifying you in writing that it is clear that representation will not be appointed at the appellate level. As background I, submit the following.

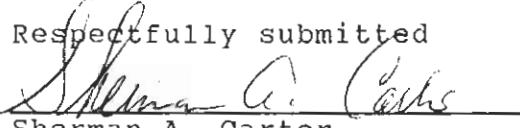
On December 1, 2005, the Court held an in-court conference to discuss the status of the case in light of the appeal, which was filed by defense counsel, claiming that this court had erred when it denied defendants claim of qualified immunity. The record indicated that the Court had requested representation for the Plaintiff, but Plaintiff's case was not selected by the then-available attorneys. Your Honor assured me that he would be able to now find someone to represent the Plaintiff. It was only due to the insistence of defense counsel that the Court opted to allow the Appellate Court the opportunity to provide representation as this Court was lead to believe that such would happen. Plaintiff voiced his apprehension as to the real reason behind counsel's position. It was this apprehension that influaneced this Court to retain jurisdiction insofar as the appointment of counsel is concerned.

On March 17, 2006 the Plaintiff was notified that unless he submitted an affidavit of poverty , no action could be taken as to

the request for appointment of counsel. Since the Plaintiff is unable to meet the requirements of poverty the Plaintiff has notified the Motion Attorney of the Appellate Court that he would not waste the Court's time by any such filing.

The Plaintiff suspects that Counsel for the Defendants have acted once again in a manner that only serves to drag out conclusion of this case. In support of the Plaintiff's position I submit for your Honor's review the "Appellants' Memorandum In Support of Appellate Jurisdiction" along with your Honor's own decisions as to the matter of qualified immunity. I the Plaintiff thank you in advance for your wisdom, and assistance in this matter.

Respectfully submitted


Sherman A. Carter

xc: Aaron R. Goldstein DAG
Third Circuit Court of Appeals